

CHAPTER 6 MIXED USE (COMMERCIAL RESIDENTIAL) DISTRICTS**Section**

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600 GENERAL PROVISIONS (CR)

- 600.1 The purpose of the Mixed Use Commercial Residential (CR) District shall be to encourage a diversity of compatible land uses that may include a mixture of residential, office, retail, recreational, light industrial, and other miscellaneous uses.
- 600.2 Development shall be guided by an approved public policy or plan and through the use of the planned unit development, special exception, or other site plan review process.
- 600.3 By the use of the public review and planning powers, the provisions of this chapter also shall be intended to:
- (a) Help create major new residential and mixed use areas in planned locations at appropriate densities, heights, and mixtures of uses;

- (b) Encourage the preservation and rehabilitation of structures of historic or architectural merit in the District of Columbia;
- (c) Encourage areas devoted primarily to pedestrians by separating pedestrian and vehicular circulation patterns and by requiring off-street parking spaces in accordance with this objective and with the objectives of specific area plans;
- (d) Encourage flexibility in architectural design and building bulk; provided, that the designs and building bulk shall be compatible and harmonious with adjoining development over the CR District as a whole;
- (e) Make recreation areas more accessible to the CR District's residents and visitors; and
- (f) In a variety of ways, create environments conducive to a higher quality of life and environment for residents, businesses, employees, and institutions in the District of Columbia as specified in District plans and policies.

600.4 The CR District shall be applied to selected geographic areas where a mixture of uses and building densities is intended to carry out elements of District of Columbia development plans, including goals in employment, population, transportation, housing, public facilities, and environmental quality.

600.5 A CR District may be located on the periphery of the Central Employment Area.

600.6 In certain of these areas, as designated now or in the future by public plans and policies, a mixture of uses and building densities shall be intended to promote and protect the public health, safety, convenience, order, prosperity, and general welfare of the community as best accomplished by the CR District.

600.7 Except as provided in chapters 23 through 25 of this title, in the CR District, no building or premises shall be used and no building shall be erected or altered that is arranged, intended, or designed to be used, except for one (1) or more of the uses listed in §§ 601, 606, and 608 through 618.

AUTHORITY: Unless otherwise noted, the authority for this chapter is the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code §§ 6-641.01 to 6-641.15 (formerly codified at D.C. Code §§ 5-413 to 5-432 (1994 Repl. & 1999 Supp.))).

SOURCE: §§ 4501.1 and 4502.1 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 29 DCR 584 (February 5, 1982); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8379 (October 20, 2000).

601 USES AS A MATTER OF RIGHT (CR)

601.1 The following uses shall be permitted as a matter of right in a CR District:

- (a) One-Family dwelling, flat, or multiple dwelling;
- (b) Rooming or boarding house;
- (c) Community center;
- (d) Hotel or inn;
- (e) Church or other place of worship;
- (f) Retail sales or services not specified in §§ 602, 606, and 608 through 618;
- (g) Office;
- (h) Private school or trade school;
- (i) Private club, restaurant, fast food restaurant, or food delivery service; provided, that a fast food restaurant or food delivery service shall not include a drive-through;
- (j) Artist's studio;
- (k) Private or public theater;
- (l) Boat club or marina;
- (m) Swimming pool;
- (n) Recreational building or use;
- (o) Park or open space;
- (p) Library;
- (q) Museum;
- (r) Embassy, chancery, or international organization;
- (s) Antenna, subject to the standards and procedure that apply to the particular class of antenna pursuant to §§ 201.2 through 201.7; and

(t) Electronic Equipment Facility (EEF) use under either or both of the following circumstances:

- (1) The EEF use occupies no more than twenty-five percent (25%) of the above ground constructed gross floor area of the building, provided that no EEF use is located on the ground floor; or
- (2) The EEF use is located below ground floor.

601.2 In addition to the uses provided in § 601.1, the following uses also shall be permitted as a matter of right in a CR District:

(a) Community-Based Residential Facilities, as limited by the following:

- (1) Youth residential care home, community residence facility, or health care facility for not more than six (6) persons, not including resident supervisors or staff and their families; or for not more than eight (8) persons, including resident supervisors or staff and their families; provided, that the number of persons being cared for shall not exceed six (6); and
- (2) Emergency shelter for not more than four (4) persons, not including resident supervisors or staff and their families;

(b) Youth residential care home, community residence facility, or health care facility for five (7) to fifteen (15) persons, not including resident supervisors or staff and their families; provided, that there shall be no property containing an existing community-based residential facility for seven (7) or more persons in the same square and no property containing an existing community-based residential facility for seven (7) or more persons within a radius of five hundred feet (500 ft.) from any portion of the subject property; and

(c) Child/Elderly development center.

601.3 Accessory uses (including parking), accessory buildings, or accessory structures customarily incidental and subordinate to the principal uses permitted in §§ 601.1 and 601.2 shall be permitted as a matter of right in a CR District.

601.4 Subject to the provisions of § 2501, mechanical amusement machines shall be permitted as a matter of right in a CR District as accessory uses to the following uses:

(a) Hotel or inn;

- (b) Retail sales or services not specified in §§ 602, 606, and 608 through 618;
- (c) Restaurant or private club;
- (d) Boat club or marina;
- (e) Bowling alley; and
- (f) College or university.

601.5 A child development home shall be permitted as a matter of right as an accessory use in a CR District; provided, the dwelling unit in which the child development home is located is the principal residence of the caregiver and the use shall otherwise meet the definition of a home occupation.

601.6 An elderly day care home shall be permitted as a matter of right as an accessory use in a CR District; provided the dwelling unit in which the elderly day care home is located is the principal residence of the caregiver and the use shall otherwise meet the definition of a home occupation.

SOURCE: § 4502.2 of the Zoning Regulations, effective May 12, 1958; as amended by: Final Rulemaking published at 27 DCR 2066, 2070 (May 16, 1980); Final Rulemaking published at 28 DCR 3482, 3501 (August 7, 1981); Final Rulemaking published at 29 DCR 4913, 4914 (November 5, 1982); by Final Rulemaking published at 30 DCR 3270, 3272 (July 1, 1983); Final Rulemaking published at 32 DCR 4374, 4375 (July 26, 1985); Final Rulemaking published at 36 DCR 1509, 1520 (February 24, 1989); Final Rulemaking published at 40 DCR 726 (January 22, 1993); Final Rulemaking published at 40 DCR 3744, 3747 (June 11, 1993); Final Rulemaking, 46 DCR 8284, 8288 (October 15, 1999); Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8380 (October 20, 2000); Final Rulemaking published at 48 DCR 9830, 9832 (October 26, 2001); and Final Rulemaking published at 49 DCR 1655, (February 22, 2002), incorporating by reference the text of Proposed Rulemaking published at 48 DCR 11159, 11160 (December 7, 2001).

602 PROHIBITED USES (CR)

602.1 The following uses shall be specifically prohibited in CR Districts:

- (a) Animal hospital or veterinarian;
- (b) Car wash, as a principal use;
- (c) Chemical manufacturing, storage, or distribution;
- (d) Drive-through establishment (any establishment where goods or services are rendered directly to occupants of motor vehicles while in the vehicles);

- (e) Enameling, plating, or painting (except artist' s studio), as a principal use;
- (f) Material salvage;
- (g) Outdoor advertising or billboard as a principal use;
- (h) Outdoor material storage;
- (i) Packing or crating operations as a principal use;
- (j) Parking lot;
- (k) Gasoline service station;
- (l) Smelting or rendering;
- (m) Carting, express, moving, or hauling terminal or yard, except a cooperative central delivery or pick-up system for goods or merchandise solely to serve businesses in the area;
- (n) Any industrial use prohibited in an M District;
- (o) Any use first permitted in the M District;
- (p) Any establishment that has as a principal use the administration of massages; and
- (q) Sexually-oriented business establishment.

SOURCE: § 4502.4 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 22 DCR 1901 (October 14, 1975); Final Rulemaking published at 24 DCR 5144, 5147 (December 16, 1977); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8380 (October 20, 2000).

603 - 604 [RESERVED]

605 PLANNING OFFICE REVIEW (CR)

- 605.1 Wherever §§ 606 and 608 through 618 require referral of an application to the D.C. Office of Planning for coordination, review, and report, including the following:
- (a) Whether the proposed use furthers the objectives of the CR District;

- (b) The relationship of the proposed use to other planning considerations for the area and the District of Columbia as a whole, including the plans, programs, and policies of other departments and agencies of the District government;
- (c) The proposed site plan, including the relationship of different uses on the site;
- (d) The impact of the proposed site plan on neighboring properties; and
- (e) Any other matters that are within the Office's jurisdiction.

605.2 Wherever §§ 606 and 608 through 618 require referral of an application by the D.C. Office of Planning to the D.C. Department of Transportation, the report by the Department of Transportation to the Office of Planning shall include the following matters related to transportation and the environment:

- (a) Considerations of the traffic to be generated and its impact;
- (b) Location and design of vehicular access and parking facilities;
- (c) Number of parking and loading facilities;
- (d) Treatment of public space;
- (e) Availability of sewer and water capacity;
- (f) Impact on air quality;
- (g) Potential noise from commercial, industrial, and traffic sources; and
- (h) Any other matters that are within the Department's jurisdiction.

SOURCE: § 4502.313 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8380-81 (October 20, 2000).

606 HOSPITALS AND CLINICS (CR)

- 606.1 Hospital or clinic use shall be permitted in a CR District as a special exception when authorized by the Board of Zoning Adjustment under § 3104, if the Board considers that this use is appropriate in furthering the objectives of the CR Districts, subject to the provisions of this section.
- 606.2 The hospital or clinic use shall be located so that it is not likely to become objectionable to surrounding and nearby property because of noise, traffic, or parking.

- 606.3 There shall be a demonstrated need for the facility.
- 606.4 The applicant shall submit to the Board a detailed plan for the hospital or clinic and accessory facilities, showing the following:
- (a) Location, height, and bulk of all improvements, including but not limited to buildings, parking and loading facilities, screening, signs, and public utility facilities; and
 - (b) A description of the activities to be carried on at the hospital or clinic, including the capacities of the various facilities within the hospital or clinic.
- 606.5 Before taking final action on an application for hospital or clinic use, the Board shall refer the application to the D.C. Office of Planning for coordination, review, and report, including review and report by the Department of Human Services on the need for the facility as well as the specific design of the facility.
- 606.6 The report of the D.C. Office of Planning shall include the reports and recommendations of the D.C. Department of Transportation, as well as other departments and agencies of the District of Columbia government as appropriate.
- 606.7 **[DELETED]**
- SOURCE:** § 4502.31 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8381-82 (October 20, 2000).
- 607 **[DELETED]** 31 DCR 6585, 6586 (December 28, 1984).
- 608 **UTILITIES (CR)**
- 608.1 Use as an electric substation, natural gas regulator station, public utility pumping station, or telephone exchange, shall be permitted in a CR District as a special exception when authorized by the Board of Zoning Adjustment under § 3104, if the Board considers that this use is appropriate in furthering the objectives of the CR Districts, subject to the provisions of this section.
- 608.2 The Board may impose any requirements for setbacks, screening, or other safeguards that it deems necessary for protection of the neighborhood.
- SOURCE:** § 4502.33 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8382 (October 20, 2000).

609 BOWLING ALLEYS (CR)

- 609.1 Use as a bowling alley shall be permitted in a CR District as a special exception when authorized by the Board of Zoning Adjustment under § 3104, if the Board considers that this use is appropriate in furthering the objectives of the CR Districts, subject to the provisions of this section.
- 609.2 Bowling alley use shall not be within twenty-five feet (25 ft.) of a Residence District unless separated from such district by a street or alley.
- 609.3 Soundproofing to the extent deemed necessary for the protection of adjoining and nearby property shall be required.
- 609.4 Accessory off-street parking spaces shall be required as for places of public assembly as provided in § 2101.1.
- 609.5 Before taking final action on an application for bowling alley use, the Board shall refer the application to the D.C. Office of Planning for coordination, review, and report.
- 609.6 The report of the D.C. Office of Planning shall include the reports and recommendations of the D.C. Department of Transportation, and of other departments and agencies of the District of Columbia as appropriate.
- 609.7 The Board may impose requirements pertaining to design, appearance, screening, lighting, additional off-street parking spaces, signs, or any other requirements it deems necessary for the protection of neighboring or adjacent property.

SOURCE: § 4502.34 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 31 DCR 6585, 6586 (December 28, 1984); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8382 (October 20, 2000).

610 MANUFACTURING AND PROCESSING (CR)

- 610.1 Use for light manufacturing, processing, fabricating, or milling shall be permitted as in a CR District as a special exception when authorized by the Board of Zoning Adjustment under § 3104, if the Board considers that this use is appropriate in furthering the objectives of the CR Districts, subject to the provisions of this section.
- 610.2 Use for light manufacturing, processing, fabricating, or milling shall comply with the standards of external effects for C-M Districts contained in § 804 and, further, shall have no adverse effects on other uses on the same or adjoining properties.

- 610.3 Use for light manufacturing, processing, fabricating, or milling shall not result in dangerous or otherwise objectionable traffic conditions.
- 610.4 There shall be adequate off-street parking for trucks and other service vehicles.
- 610.5 There shall be no outdoor storage of materials.
- 610.6 The Board may impose requirements pertaining to design, appearance, or screening, or any other requirements that it deems necessary for the protection of neighboring or adjacent property.
- 610.7 Before taking final action on an application for use for light manufacturing, processing, fabricating, or milling, the Board shall refer the application to the D.C. Office of Planning for coordination, review, and report.
- 610.8 The report of the D.C. Office of Planning shall include the reports and recommendations of the D.C. Department of Transportation, and other District departments and agencies as appropriate.

SOURCE: § 4502.35 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8382 (October 20, 2000).

611 WAREHOUSES AND WHOLESALERS (CR)

- 611.1 Warehouse or wholesaler use shall be permitted in a CR District as a special exception when authorized by the Board of Zoning Adjustment under § 3104, if the Board considers that this use is appropriate in furthering the objectives of the CR Districts, subject to the provisions of § 610.

SOURCE: § 4502.36 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8382-83 (October 20, 2000).

612 BUILDING SERVICE TRADES (CR)

- 612.1 Use for building service trade, including but not limited to plumber, electrician, exterminator, or air conditioning mechanic, shall be permitted in a CR District as a special exception when authorized by the Board of Zoning Adjustment under § 3104, if the Board considers that this use is appropriate in furthering the objectives of the CR Districts, subject to the provisions of § 610.

SOURCE: §§ 4502.36 and 4502.37 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8383 (October 20, 2000).

613 RESEARCH OR TESTING LABORATORY (CR)

- 613.1 Use for experimental research or testing laboratory shall be permitted in a CR District as a special exception when authorized by the Board of Zoning Adjustment under § 3104, if the Board considers that this use is appropriate in furthering the objectives of the CR Districts, subject to the provisions of § 610.

SOURCE: § 4502.38 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8383-84 (October 20, 2000).

614 VEHICLE SALES OR REPAIR (CR)

- 614.1 Use for automobile or motorcycle sales or repair shall be permitted in a CR District as a special exception when authorized by the Board of Zoning Adjustment under § 3104, if the Board considers that this use is appropriate in furthering the objectives of the CR Districts, subject to the provisions of this section.
- 614.2 Use for vehicle sales or repair shall be located so that it is not objectionable to other uses on the same or neighboring property because of noise, fumes, or other conditions.
- 614.3 Use for vehicle sales or repair shall not result in dangerous or otherwise objectionable traffic conditions.
- 614.4 The use for vehicle sales or repair, and all its accessory facilities, including automobile storage, shall be located within a building.
- 614.5 No portion of a building use for vehicle sales or repair shall be used within fifty feet (50 ft.) of a Residence District or Special Purpose District.
- 614.6 The Board may impose additional requirements pertaining to location of buildings or other structures, entrances, exits, or soundproofing, or other requirements as the Board deems necessary to protect adjacent or nearby property.
- 614.7 Before taking final action on an application for use for vehicle sales or repair, the Board shall refer the application to the D.C. Office of Planning for coordination, review, and report.
- 614.8 The report of the D.C. Office of Planning shall include the reports and recommendations of the D.C. Department of Transportation, and of other departments and agencies of the District of Columbia as appropriate.

SOURCE: § 4502.39 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8384 (October 20, 2000).

615 COLLEGES AND UNIVERSITIES (CR)

- 615.1 College or university use shall be permitted as a special exception in a CR District when authorized by the Zoning Commission under § 3104, if the Commission considers that this use is appropriate in furthering the objectives of the CR Districts, subject to the provisions of this section.
- 615.2 The college or university use shall be located so that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions.
- 615.3 The applicant shall submit to the Commission a plan for developing the campus as a whole, showing the location, height, and bulk, where appropriate, of all present and proposed improvements including but not limited to buildings, parking and loading facilities, screening, signs, streets, and public facilities, athletic and other recreational facilities, and a description of all activities conducted or to be conducted in the facilities, and of the capacity of all present and proposed campus development.
- 615.4 Within a reasonable distance of the college or university campus, and subject to compliance with §§ 615.2 and 3104, the Commission may also permit the interim use of land or improved property with any use that the Commission may determine is a proper college or university function.
- 615.5 Before taking final action on an application for college or university use, the Commission shall refer the application to the D.C. Office of Planning for coordination, review, and report.
- 615.6 The Office of Planning report shall include the reports and recommendations of the D.C. Department of Transportation and of other departments and agencies of the District of Columbia as appropriate.

SOURCE: § 4502.310 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9725, 9733-34 (December 8, 2000).

616 COMMUNITY-BASED RESIDENTIAL FACILITIES (CR)

- 616.1 The following categories of uses as a community-based residential facility shall be permitted in a CR District as a special exception when authorized by the Board of Zoning Adjustment under § 3104, if the Board considers that the use is appropriate in furthering the objectives of the CR Districts, subject to the provisions of this section.

- (a) Youth residential care home or community residence facility for sixteen (16) to twenty-five (25) persons, not including resident supervisors or staff and their families, subject to the standards and requirements of § 358;
- (b) Health care facility for sixteen (16) to three hundred (300) persons, not including resident supervisors or staff and their families, subject to the standards and requirements of § 359;
- (c) Emergency shelter for five (5) to twenty-five (25) persons, not including resident supervisors or staff and their families, subject to the standards and requirements of § 360; and
- (d) Youth rehabilitation home, adult rehabilitation home, or substance abusers' home for one (1) to twenty (20) persons, not including resident supervisors or staff and their families, subject to the standards and requirements of §§ 358.2 through 358.7.

SOURCE: § 4502.312 of the Zoning Regulations, effective May 12, 1958; as amended by: Final Rulemaking published at 28 DCR 3482, 3502 (August 7, 1981); Final Rulemaking published at 40 DCR 726 (January 22, 1993); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8384 (October 20, 2000).

617 ANTENNAS (CR)

- 617.1 An antenna shall be permitted as a special exception in a CR District, if approved by the Board of Zoning Adjustment under § 3104 subject to the standards and procedures that apply to the particular class of antenna under §§ 211 or 212.

SOURCE: Final Rulemaking published at 36 DCR 1509, 1520 (February 24, 1989); as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8385 (October 20, 2000).

618 MISCELLANEOUS USES (CR)

- 618.1 Other uses not specified in § 601 and not prohibited by § 602 shall be permitted in a CR District as a special exception when authorized by the Board of Zoning Adjustment in accordance with § 3104, if the Board considers that this use is appropriate in furthering the objectives of the CR Districts, subject to the provisions of this section.
- 618.2 Uses authorized under this section shall not adversely affect the present character and future development of the neighborhood.

- 618.3 No dangerous or otherwise objectionable traffic conditions shall result from the establishment of any miscellaneous use.
- 618.4 The Board may impose requirements pertaining to the design, appearance, screening, or any other requirements that it deems necessary for the protection of neighboring or adjacent property.
- 618.5 Before taking final action on an application for any miscellaneous use, the Board shall refer the application to the D.C. Office of Planning for coordination, review, and report.
- 618.6 The report of the Office of Planning shall include the reports and recommendations of the D.C. Department of Transportation, and of other departments and agencies of the District of Columbia as appropriate.

SOURCE: § 4502.311 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8385 (October 20, 2000).

619 - 629 [RESERVED]

630 HEIGHT OF BUILDINGS OR STRUCTURES (CR)

- 630.1 Except as provided in this section, the height of buildings and structures shall not exceed ninety feet (90 ft.).
- 630.2 Free-standing, primarily ground-supported signs shall not exceed twenty feet (20 ft.) in height.
- 630.3 Spires, towers, domes, pinnacles or minarets serving as architectural embellishments, penthouses over elevator shafts, ventilator shafts, antennas, chimneys, smokestacks, or fire sprinkler tanks may be erected to a height in excess of that which this section otherwise authorizes.
- 630.4 If housing for mechanical equipment or a stairway or elevator penthouse is provided on the roof of a building or structure, it shall be erected or enlarged as follows:
- (a) It shall meet the requirements of § 411;
 - (b) It shall be set back from all exterior walls a distance at least equal to its height above the roof upon which it is located; and
 - (c) It shall not exceed eighteen feet, six inches (18 ft., 6 in.), in height above the roof upon which it is located. Mechanical equipment shall not extend above the permitted eighteen foot, six inch (18 ft., 6 in.), height of the housing.

- 630.5 Housing for mechanical equipment or a stairway or elevator penthouse may be erected to a height in excess of that authorized in the district in which located.

SOURCE: §§ 4503.1 through 4503.5 of the Zoning Regulations, effective May 12, 1958; as amended by: Final Rulemaking published at 33 DCR 3975, 3977 (July 4, 1986); Final Rulemaking published at 35 DCR 179, 192 (January 8, 1988); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8385 (October 20, 2000).

631 FLOOR AREA RATIO (CR)

- 631.1 In the CR District, the floor area ratio of all buildings and structures on a lot shall not exceed six (6.0), not more than three (3.0) of which may be used for other than residential purposes.

- 631.2 For the purposes of this section, the term “residential purposes” shall include dwellings, flats, multiple dwellings, rooming and boarding houses, community-based residential facilities, inns, and guest room areas and service areas within hotels.

- 631.3 For the purposes of this section, the allowable residential and nonresidential bulk of a CR District may be apportioned between two (2) or more lots in the same square, regardless of the limits on floor area; provided, that the aggregate residential and nonresidential floor area may not exceed the limits for the CR District.

- 631.4 A covenant running with the land and applicable to all properties involved in the apportionment shall be executed by all of the owners of the properties and the District of Columbia government prior to the issuance of any building permits. The covenant shall be for the purpose of insuring that the aggregate residential and nonresidential floor area does not exceed the limits applicable to residential and nonresidential uses.

SOURCE: §§ 4504.1, 4504.2 and 4504.3 of the Zoning Regulations, effective May 12, 1958; as amended by: Final Rulemaking published at 27 DCR 2066, 2070 (May 16, 1980); Final Rulemaking published at 28 DCR 3482, 3502 (August 7, 1981); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8386 (October 20, 2000).

- 632 [DELETED]** 31 DCR 6585, 6586 (December 28, 1984).

633 REQUIRED PUBLIC SPACE AT GROUND LEVEL (CR)

- 633.1 An area equivalent to ten percent (10%) of the total lot area shall be provided for all new development.

- 633.2 The area for new development shall be located immediately adjacent to the main entrance to the principal building or structure on the lot, and shall serve as a transitional space between the street or pedestrian right-of-way and the building or structure.
- 633.3 The area for new development shall be open to the sky or have a minimum vertical clearance of one (1) story or ten feet (10 ft.).
- 633.4 The area shall be suitably lighted and landscaped for public use, and may be utilized for temporary commercial displays.
- 633.5 The space shall be open and available to the general public on a continuous basis.
- 633.6 The area shall not be charged against the gross floor area of the building.

SOURCE: § 4506.1 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8386 (October 20, 2000).

634 PERCENTAGE OF LOT OCCUPANCY (CR)

- 634.1 No structure, including accessory buildings, devoted to residential use shall occupy more than seventy-five percent (75%) of the lot upon which it is located.
- 634.2 For the purposes of this section, the percentage of lot occupancy may be calculated on a horizontal plane located at the lowest level where residential uses begin.
- 634.3 For the purposes of this section, “residential uses” includes dwellings, flats, multiple dwellings, rooming and boarding houses, hospitals, and community-based residential facilities.

SOURCE: § 4506.2 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 28 DCR 3482, 3503 (August 7, 1981); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8386 (October 20, 2000).

635 RESIDENTIAL RECREATION SPACE (CR)

- 635.1 Private residential recreation space shall be that space suitably equipped and devoted to active or passive recreation for the residents of a particular residential building or structure.
- 635.2 Private residential recreation space may be located at ground level, on or above the residential plane, on rooftops, or within the building or structure; provided, that seventy percent (70%) of the total of this space shall be open to the sky.

635.3 An area equal to fifteen percent (15%) of the gross floor area devoted to residential purposes shall be provided as private residential recreation space.

635.4 For the purposes of this section, the phrase “residential purposes” shall include dwellings, flats, multiple dwellings, rooming and boarding houses, and community-based residential facilities.

SOURCE: § 4506.3 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published 28 DCR 3482, 3503 (August 7, 1981); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8386 (October 20, 2000).

636 REAR YARDS (CR)

636.1 A rear yard shall be provided for each residential building or structure.

636.2 When the residential use begins at or below grade, the minimum depth of rear yard shall be three inches per foot (3 in./ft.) of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof, but not less than twelve feet (12 ft.).

636.3 When the residential use begins above grade, the minimum depth of rear yard shall be three inches per foot (3 in./ft.) of vertical distance from the horizontal plane upon which the residential use begins to the highest point of the main roof, but not less than twelve feet (12 ft.).

636.4 The rear yard referenced in § 636.3 shall be provided at and above the residential plane.

636.5 In the case of a through lot or a corner lot abutting three (3) or more streets, no rear yard shall be required for any building or structure.

636.6 For the purposes of this section, “residential building or structure” shall include dwellings, flats, multiple dwellings, rooming and boarding houses, hospitals, hotels, inns, and community-based residential facilities.

SOURCE: § 4506.4 of the Zoning Regulations, effective May 12, 1958; as amended by: Final Rulemaking published at 27 DCR 2066, 2070 (May 16, 1980); Final Rulemaking published at 28 DCR 3482, 3503 (August 7, 1981); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8386 (October 20, 2000).

637 SIDE YARDS (CR)

637.1 No side yard shall be required for any structure located in a CR District.

- 637.2 If a side yard is provided, its minimum width shall be three inches per foot (3 in./ft.) of building height, but not less than eight feet (8 ft.).

SOURCE: § 4506.5 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8386 (October 20, 2000).

638 COURTS (CR)

- 638.1 Where an open court is provided in a CR District, the court shall have the following minimum dimensions:

- | | |
|---|---|
| (a) Residential building, except hotel | Width: Three inches per foot (3 in./ft.) of height of court, but not less than ten feet (10 ft.); |
| (b) Hotel and other permitted structure | Two and one-half inches per foot building (2½in./ft.) of height of court, but not less than six feet (6 ft.); |

- 638.2 Where a closed court is provided in a CR District, the court shall have the following minimum dimensions:

- | | |
|---|---|
| (a) Residential building, except hotel | Width: Four inches per foot (4 in./ft.) of height of court, but not less than fifteen feet (15 ft.);

Area: Twice the square of the required width of court dimension; and |
| (b) Hotel and other permitted structure | Width: Two and one-half inches per foot (2½in./ft.) of height of court, but not less than twelve feet (12 ft.);

Area: Twice the square of the required width of court dimension. |

- 638.3 For the purposes of this section, “residential building” shall include dwellings, flats, multiple dwellings, rooming and boarding houses, hospitals, and community-based residential facilities.

- 638.4 In the case of a building devoted to both residential and nonresidential uses, the minimum width and area of a court shall be computed as follows:

- (a) When the residential and nonresidential uses are located on different floors of the building, the width and area requirements shall be computed for each use at the plane of each floor of the building; and

- (b) When the residential and nonresidential uses are located on the same floor of the building, the width and area requirements for that plane shall be computed based on the requirements for residential buildings in §§ 638.1 and 638.2.

638.5 No required opening for the admission of light and natural ventilation shall open onto a court niche where the ratio between the width of court niche and the depth of court niche is less than two to one (2:1).

638.6 No portion of a court niche shall be farther than three feet (3 ft.) from a point where the court niche is less than three feet (3 ft.) in width.

SOURCE: § 4506.6 of the Zoning Regulations, effective May 12, 1958; as amended by: Final Rulemaking published at 27 DCR 2066, 2070 (May 16, 1980); Final Rulemaking published at 28 DCR 3482, 3503 (August 7, 1981); Final Rulemaking published at 28 DCR 4192, 4196 (September 25, 1981); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8386-87 (October 20, 2000).

639 ROOF STRUCTURES (CR)

639.1 The provisions of § 411 shall apply to roof structures in CR Districts.

639.2 The gross floor area of roof structures permitted under this section shall not be counted in determining the required number of off-street parking spaces or loading berths as required elsewhere in this chapter.

SOURCE: § 4506.7 of the Zoning Regulations, effective May 12, 1958; as amended by: Final Rulemaking published at 27 DCR 2066, 2070 (May 16, 1980); Final Rulemaking published at 28 DCR 3482, 3503 (August 7, 1981); Final Rulemaking published at 28 DCR 4192, 4196 (September 25, 1981); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8397 (October 20, 2000)